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SUBJECT: 1540: COMMITTEE CHAIRMAN SEEKS MOVEMENT ON WORK
PROGRAM

REF: A. USUN 1667
 B. USUN 1532
 C. USUN 1428
 D. STATE 128389
 E. STATE 114027

1. Summary: Slovak PermRep and 1540 Committee Chairman Peter Burian consulted Ambassador Bolton and Ambassador Sanders August 31 on how to end the 1540 Committee's deadlock over its draft work program. The Russian delegation blocked the UK-drafted program on July 27, despite the P-5 experts' previous agreement, after presenting last-minute amendments to avoid "politicizing" the Committee's work (ref C). Ambassador Bolton suggested taking a pragmatic approach and proposed meeting with Burian and UK PermRep Jones Parry on Tuesday, September 5, to develop a compromise to present to the P-5 ambassadors. Burian also sought U.S. views on the proposed ministerial meeting on the Middle East Process and how to proceed with the mandate review process in the Council, and praised the U.S. proposal for an OSCE seminar on plans of action for implementing resolution 1540 (2004).

1540 Work Program

2. Burian expressed disappointment with Russia's eleventh-hour opposition, praising the draft the Russians rejected and stressing the importance of an agreed program to guide the Committee's experts and shape the Committee's outreach activities. He said the Russian embassy in Bratislava told the head of Slovakia's disarmament department August 30 that the work program is too ambitious, goes beyond the scope of resolutions 1540 and 1673, and would transform the Committee into a sanctions committee that differentiated countries into good and bad actors. Burian also had discussed the work program with UK PermRep Jones Parry, who wants to hold firm against Russia but will raise the 1540 work program at next week's P-5 ambassadors' meeting in hopes the P-5 could reach agreement. While they expressed regret at breaking consensus on the work program, Burian said the Russian Mission advised him that its instructions are strict and Russia could not accept the program unless its concerns are addressed. To ensure that the Committee's experts have work to do, Burian said he would meet with them August 31 to suggest that they focus on offering assistance to states that have not yet submitted a report to the Committee.

3. Ambassador Bolton responded that, although he would consider the issue more closely, he prefers a pragmatic approach that could allow the Committee to achieve practical accomplishments. He thought some of Russia's objections could be addressed by having the Committee focus first on

states that have acknowledged difficulties in implementing resolution 1540 and have sought the Committee's assistance. Even if states want to counter proliferation of weapons of mass destruction, their ability to do so will be limited unless they have adequate regulatory and legislative measures in place, so focusing on those states is crucial, he said. He proposed meeting with Jones Parry and Burian on September 5, to develop a compromise that could be proposed when the P-5 ambassadors meet, ideally on September 5 or 6.

¶4. Burian also stressed the need for the Committee to address non-compliance and said the Committee's work program should address that issue. He acknowledged the Russians might not want to address non-compliance this year. Even so, he thought the Council must respond if the Committee offers to assist or facilitate the delivery of assistance to a state that needs it and the state either does not respond or violates the resolution. Ambassador Bolton agreed.

Iran

¶5. The ambassadors briefly discussed Iran, and Ambassador Bolton called the IAEA's report "helpful." Burian said the Russians discussed Iran with the Slovak Embassy in Moscow, indicating that the timing was not right for imposing sanctions on Iran and commented that the United States is the only country that will not lose from those sanctions. Burian also indicated that he thought we should not delay imposition of sanctions on Iran.

Middle East Peace Process Ministerial and Conference

¶6. Responding to Burian, Ambassador Bolton said the United States thought the timing for a ministerial meeting on the Middle East Peace Process in September was wrong and had suggested the Arab League should clarify the objectives of the meeting before proceeding. Large conferences have never been a formula for success in the Middle East, he observed, and he thought the proposed international conference would be filled with rhetoric and accomplish little. Burian agreed to raise these points at his September 1 meeting with the Greeks. He also would ask other EU partners to press the Arab states to articulate what they expect the ministerial to accomplish.

Mandate Review

¶7. At the end of the meeting, the ambassadors discussed next steps to advance the process of mandate review in the Council, a process the two co-chair, and agreed to be in touch.

BOLTON